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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,415	09/28/2000	Wendy F. Hunter	10991850-1	8198

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EXAMINER

RAHIMI, IRAJ A

ART UNIT PAPER NUMBER

2622

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/672,415

Applicant(s)

HUNTER, WENDY F.

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 May 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In papers filed on September 26, 2005, applicant amended claims 1-5, 7-12, 14-19, 21-26, and 28.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 15 and 22 have been carefully considered but were not persuasive. Applicant argues that the motivation to combine Reed and Anderson was not found in the reference or in the knowledge generally available to one ordinary skill in the art. The motivation to combine, cited by examiner, was to avoid additional processing of the images before representation.

Examiner disagrees. As already cited in paragraph 74 and acknowledged by applicant, thumbnail images may be displayed in their true orientation. Paragraph 57 of Anderson also says when the camera is placed into review mode, the thumbnail images contained in the image files are directly displayed which eliminate the need to *process* and decompress the compressed image data. Therefore, motivation to combine comes directly from the reference. Additionally, the knowledge was also generally available to one ordinary skill in the art to combine Reed and Anderson.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. *Claims 1-4, 8-11, 15-18, 22-25, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Anderson (US patent application 2001/0033303).*

Regarding claim 1, Reed discloses a printer user interface comprising:

a display 40 for displaying information, including messages to a user (column 4, lines 4-9);

an input device 38 for enabling the user to respond to the displayed messages (column 3, lines 64-67 and column 4, lines 4-9);

an interface 32/34 to a detachable memory device including at least one image file; and
a processor (controller 70) coupled to said input device, said display, and to said interface, said processor responsive to a first user input to print a thumbnail of said at least one image file.

However Reed does not clearly disclose that thumb nail image be in the same orientation in which said image file was acquired by utilizing stored orientation information.

Anderson discloses in paragraph 74 that images thumbnail images may be displayed in their true orientation (portrait or landscape) and aspect ratio.

Reed and Anderson are combinable because they are from the same field of endeavor that is image reproduction.

At the time of the invention, it would have been obvious to a person ordinary skill in the art to present the thumbnail images in their original orientation.

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The suggestion/motivation for doing so would have been to avoid additional processing (rotating) of portrait images before presentation.

Therefore, it would have been obvious to combine the Anderson with Reed to obtain the invention as specified in claim 1.

Regarding claim 2, Reed discloses the user interface of claim 1, wherein said at least one image file is a plurality of image files forming a set of image files (102, 106, 108, 110), and said processor is further responsive to a second user input to print an index page of thumbnails of a selected subset of said plurality of image files (column 7, lines 25-40).

Regarding claim 3, Reed discloses the user interface of claim 1, wherein said processor is further responsive to a third user input, specifying a number of thumbnails to be printed for each of said at least one image file (column 7, lines 8-24). By pressing the index button one set of thumbnail images are printed.

Regarding claim 4, Reed discloses the user interface of claim 1, wherein said at least one image file is assigned a unique identification in said detachable memory device, and wherein said thumbnail is printed with said unique identification (column 7, lines 25-40).

Regarding claims 8-11, 5-18, 22-25, 29 and 31 arguments analogous to those presented for claims 1-4, are respectively applicable.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. *Claims 5-7, 12-14, 19-21 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reed (US patent 6,426,801) in view of Anderson (US patent application 2001/0033303) and further in view of Hirai (US patent 6,493,108).*

Regarding claim 5, Reed discloses in column 7, lines 25-40 the user interface of claim 4, wherein said at least one image file is assigned an image number and a date in said detachable memory device, and said thumbnail is printed with said image number.

However, he does not specifically disclose printing date with the thumbnail image.

Hirai discloses in Fig. 5, printing order date with the thumbnail images.

Reed, Anderson and Hirai are combinable because they are from the same field of endeavor that is processing images for printing including thumbnail images.

It would have been obvious to a person skilled in the art, at the time of invention to print the date with the thumbnail image.

The motivation to do so would have been to indicate when the print order was placed.

Therefore, it would have been obvious to a person skilled in the art, at the time of invention to combine Hirai with Reed and Anderson to obtain the invention as specified in claim.

Regarding claim 6, Hirai discloses the user interface of claim 5, wherein said unique identification, said image number, and said date are printed outside of a border of said thumbnail (Fig. 5).

Regarding claim 7, Hirai discloses the user interface of claim 1, wherein a printed size of said thumbnail is determined by a size of a sheet on which said thumbnail is to be printed (column 11, lines 58-65).

Regarding claims 12-14, 19-21 and 26-28 arguments analogous to those presented for claims 5-7, are respectively applicable.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 571-272-7411.


The examiner can normally be reached on Mon.-Fri. 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



Alan Rahimi
December 6, 2005



TWYLER LAMB
PRIMARY EXAMINER